

P24587.P01

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

P24587

Total Pages

U.S. PTO  
10/17/2004Inventor(s) or Application Identifier:  
Shinsuke OKADA, and Peter Maxwell DELANEY

Title: ENDOSCOPE

U.S.  
PTO

ADDRESS TO:

Commissioner for Patents  
Mail Stop Patent Application  
PO Box 1450  
Alexandria, VA 22313-1450

021004

APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>a. <input type="checkbox"/> Small Entity Statement(s)</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>26</u>] (preferred arrangement set forth below)            - Descriptive title of the Invention            - Cross References to Related Applications            - Statement Regarding Fed sponsored R &amp; D            - Reference to sequence listing, a table, or a computer program listing appendix            - Background of the Invention            - Brief Summary of the Invention            - Brief Description of the Drawings (if filed)            - Detailed Description            - Claim(s)            - Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <u>5</u>]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages <u>6</u>]            a. <input checked="" type="checkbox"/> Newly executed (original or copy) <input type="checkbox"/> Unexecuted            b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 20 completed)  <u>Note Box 6 below</u>            i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u>            Signed statement attached deleting inventor(s)            named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Incorporation By Reference (useable if Box 5b is checked)            The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p> <p>7. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> <p>8. <input type="checkbox"/> CD-Rom or CD-R in duplicate, large table or Computer Program (<i>Appendix</i>)</p>	<p>9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)            a. <input type="checkbox"/> Computer Readable Form (CRF)            b. Specification Sequence Listing on:            i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or            ii. <input type="checkbox"/> paper            c. <input type="checkbox"/> Statements verifying identity of above copies</p> <p>10. <input checked="" type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>11. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney</p> <p>12. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>13. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>14. <input type="checkbox"/> Preliminary Amendment</p> <p>15. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>16. <input checked="" type="checkbox"/> Figure of Drawing to be published: <u>1</u></p> <p>17. <input checked="" type="checkbox"/> Foreign priority claimed            a. <input checked="" type="checkbox"/> Claim of Priority            b. <input checked="" type="checkbox"/> Certified Copy of Priority Document(s) <span style="float: right;">W2-2 2-10-04 3:00 PM</span></p> <p>18. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b) (2) (B) (i).            Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>19. <input checked="" type="checkbox"/> Assignee: <u>PENTAX Corporation, of Tokyo, Japan; and Optiscan Pty Ltd., of Victoria, Australia</u></p> <p>20. <input checked="" type="checkbox"/> Other: <u>Cover Letter Regarding Executed Application</u></p> <p>_____ _____ _____ _____</p>
<p>21. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 C.F.R. 1.76:</p> <p><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior Application No. _____ / _____, filed _____.  <i>Prior application information: Examiner: _____</i> <i>Group Art Unit: _____</i></p>	

Address all future correspondence to **Customer No. 7055** at the present address of:

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2-10-04

Date

Will. E. Lydd Reg. No.  
41,568

Signature

Bruce H. Bernstein, Reg. No. 29,027  
Typed or Printed Name

## FEE TRANSMITTAL

**TOTAL AMOUNT OF PAYMENT** (\$810.00)

		Complete if Known			
		Application Number	Not Yet Assigned		
		Filing Date	Concurrently Herewith		
		First Named Inventor	Shinsuke OKADA et al.		
		Group Art Unit	Unassigned		
		Examiner Name	Unassigned		

		Attorney Docket Number			
		P24587			

### METHOD OF PAYMENT (check one)

1.  The U.S Patent and Trademark Office is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 19-0089

Deposit Account Name GREENBLUM & BERNSTEIN, P.L.C.

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3))  Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b)  Applicant Claims Small Entity Status See 37 CFR 1.27.

2.  Payment Enclosed:

Check  Credit Card  Money Order  Other

### FEE CALCULATION (fees effective 10/01/03)

#### 1. FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001	770	2001	385 Utility filing fee
1002	340	2002	170 Design filing fee
1003	530	2003	265 Plant filing fee
1004	770	2004	385 Reissue filing fee
1005	160	2005	80 Provisional filing fee

SUBTOTAL (1) (\$ 770.00)

#### 2. CLAIMS

Total Claims	-20=	Extra	Fee from below	=	Fee Paid
20	-20=	0	x 18	=	0.00
Independent 3	-3=	0	x 86	=	0.00
Claims					
Multiple Dependent Claims		0	x 290	=	0.00

#### Large Entity Fee Code

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1202	18	2202 9 Claims in excess of 20
1201	86	2201 43 Independent claims in excess of 3
1203	290	2203 145 Multiple dependent claim
1204	86	2204 43 Reissue independent claims over original patent
1205	18	2205 9 Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

3. ADDITIONAL FEES	Fee Description	Fee Paid
Large Entity Fee Code	Small Entity Fee Code	Fee Description
1051	130	2051 65 Surcharge - late filing fee or oath
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet
1053	130	1053 130 Non-English specification
1812	2,520	1812 2,520 For filing a request for reexamination
1804	920*	1804 920* Requesting publication of SIR
1805	1,840*	1805 1,840* Prior to Examiner action
1251	110	2251 55 Requesting publication of SIR after Examiner action
1252	420	2252 210 Extension for response within 1st month
1253	950	2253 475 Extension for response within 2nd month
1254	1,480	2254 740 Extension for response within 3rd month
1255	2,010	2255 1,005 Extension for response within 4th month
1401	330	2401 165 Extension for response within 5th month
1402	330	2402 165 Notice of Appeal
1403	290	2403 145 Filing a brief in support of an appeal
1451	1,510	1451 1,510 Request for oral hearing
1452	110	2452 55 Petition to institute a public use proceeding
1453	1,330	2453 665 Petition to revive unavoidably abandoned application
1501	1,330	2501 665 Petition to revive unintentionally abandoned application
1502	480	2502 240 Utility issue fee (or reissue)
1503	640	2503 320 Design issue fee
1460	130	1460 130 Plant issue fee
1807	50	1807 50 Petitions to the Commissioner
1806	180	1806 180 Petitions related to provisional applications
8021	40	8021 40 Submission of IDS
1809	770	2809 385 Recording each patent assignment per property (times number of properties)
1810	770	2810 385 Filing a submission after final rejection (37 CFR 1.129(a))
1801	770	2801 385 For each additional invention to be examined (37 CFR 1.129(b))
1802	900	1802 900 Request for Continued Examination (RCE)
		Other fee (specify) _____
		Other fee (specify) _____

SUBTOTAL (3) (\$ 40.00)

\*Reduced by Basic Filing Fee paid

### SUBMITTED BY

Complete (if applicable)			
Typed or Printed Name	Bruce H. Bernstein	Reg. Number	29,027
Signature	Will. E. Zysk <i>b.s. No. 41,568</i>	Date	2-10-04
		Deposit Account User ID	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shinsuke OKADA et al.

Applications Branch

Appln. No. : Not yet assigned

Filed : Concurrently herewith

For : ENDOSCOPE

**COVER LETTER REGARDING EXECUTED APPLICATION**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

The undersigned points out that the executed application being filed herewith includes pages 1 - 3 of a first declaration executed by the first listed inventor and pages 1 - 3 of a second declaration executed by the second listed inventor, which were forwarded to the undersigned by facsimile by Applicants' Japanese representative on February 10, 2004, and pages 1 - 26 of the specification (with Figures 1 - 6B) which were forwarded to the undersigned by Applicant's Japanese representative earlier on January 23, 2004.

Accordingly, Applicants respectfully submit that the present application is properly executed, by the two declarations take together, and should be considered as filed in executed form. However, if the U.S. Patent and Trademark Office determines that the present application is not properly executed, Applicants respectfully request that the present application be treated as an unexecuted application under 37 C.F.R. 1.53(f).

P24587.A01

Should there be any questions regarding this paper, please contact the undersigned at  
the below listed number.

Respectfully submitted,  
Shinsuke OKADA et al.

Will. S. Lyall Reg. No.  
Bruce H. Bernstein 41,568  
Reg. No. 29,027

February 10, 2004  
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